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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,607	10/20/2003	Andre Fortin	FOR002	8980

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EXAMINER

GRAY, LINDA LAMEY

ART UNIT PAPER NUMBER

1734

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/687,607

Applicant(s)

FORTIN, ANDRE

Examiner

Linda L. Gray

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10-20-03, 5-18-06, and 8-21-06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) 1-16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

Election/Restriction

1. Applicant's election without traverse of claims 17-30 in the reply filed on 8-21-06 is acknowledged. Claims 1-16 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim.

Claim Rejections - 35 USC 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 from the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless - (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 17-18, 20, and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Hites (US 4,086,382).

Claim 17, Hites teaches a method of forming a two panel fire resistant wood core including creating grooves 12/14 on one side of first panel 10 formed from an organic material of hard wood, creating grooves on one side of second panel 10 formed from an organic material of hard wood, coating the one side of at least one of panels 10 with casting material 22 of clay having binders (claim 18, table 18, c 4) to form a heat barrier layer, and joining panels 10 with layer 22 being sandwiched between panels 10 into grooves 12/14 to form the core which is a laminate (c 1, L 1-16; c 1, L 65, to c 3, L 20; c 3, L 45, to c 4, L 11). The limitation of using the core to make a dual panel door refers to an intended use of the core made by the claimed method and does not

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provide a distinction between the steps claimed and that of the reference. The core is for use in making a door panel. Since panel 10 are of hard wood, the core has a fire rating of at least 45 since wood mineral cores have fire ratings of at least 45.

Claim 20, joining panels 10 constitutes cold pressing to a desired thickness of the core (c 2, L 30-43). Claim 22, the method includes trimming the core to a desired size (c 3, L 45-53).

Claim Rejections - 35 USC 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 19 is rejected under 35 USC 103(a) as being unpatentable over Hites as applied to claims 17-18, 20, and 22 above, and further in view of Cognet et al. (US 5,334,427).

Claim 19, it is conventional to provide cores for use in making door panels with a layer of reinforcing material, however, Hites modified in this manner does not teach where to place the reinforcing material, i.e., covering the one side of panel 10 or panels 10 with a reinforcing material prior to joining.

Cognet et al. teach forming a core (c 4) for a car door including bonding two panels a together using casting material b/c/b where layer c is a reinforcer. The method includes connecting panel a with layer b, connecting layer c to the connected

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layer b, then connecting layer c to a subcombination of the other panel a having its layer b thereon (c 3, L 37 to 62).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have provided in Hites modified placing the reinforcing material on the one side of panel 10 or panels 10 prior to joining as taught in the door making art by Cognet et al. the motivation being that the reinforcing material will be symmetrically spaced within the core providing even force distribution therein.

6. Claims 21, 24-26, and 28-29 are rejected under 35 USC 103(a) as being unpatentable over Hites as applied to claims 17-18, 20, and 22 above.

Claim 21, Hites does not teach a specific thickness for the core after cold pressing.

However, the thickness of the core is a result effective variable in that the core thickness effects the appearance of the final panel door and the strength, and it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have provided in Hites optimizing the thickness of the core to achieve the optimal door appearance and/or strength.

Claim 24-25, Hites does not elaborate on how material 22 is applied, i.e., spraying or pouring.

However, spraying or pouring are conventional method of applying a lamination material to a surface, and it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have provided in Hites applying material 22 by spraying or pouring because it is obvious to replace one method of applying a lamination material (that of Hites not specifically disclosed) with another art recognized alternative method of applying a lamination material.

Claims 22 and 29, Hites teaches that the thickness of layer 22 is sufficient to ensure filling of grooves 22 for bonding but does not teach a specific thickness for layer 22 (claim 22) or a depth of grooves 12/14 (claim 29).

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However, the thickness of layer 22 and the depth of grooves 12/14 are result effective variables in such effects the degree of bonding of panels 10 by providing more, or less, of material 22 between panels 10 outside of grooves 12/14, and it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have provided in Hites optimizing the thickness of material 22 and the depth of grooves 12/14 to achieve the optimal degree of bonding.

Claims 28, Hites teaches a distance between grooves 12/14 to be approximately 1 inches (7/32 inches) (c 2, L 1-19). *However, in the event that 7/32 does not approximate 1 inch*, the distance between grooves 12/14 is a result effective variable in that the distance effects the amount of material 22 between panels 10, in or out of grooves 12/14. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have provided in Hites optimizing the distance between grooves 12/14 to achieve the optimal amount of material 22 between panels 10, in or out of grooves 12/14.

Also for claim 29, Hites teaches a groove width of 0.09 to 0.15 inches (c 2, L 9-10) which includes the claimed range of approximately 0.125.

7. Claim 23 is rejected under 35 USC 103(a) as being unpatentable over Hites as applied to claims 17-18, 20, and 22 above, and further in view of Lee (US 2,703,443).

Claim 23, Hites does not teach that the door is made by mounting the core in an outer peripheral frame and applying outer sheathing panels to opposite sides of the door.

Lee teaches making a door including core 10 mounted in an outer peripheral frame including members 15, 16, 17, and 18 and then applying outer sheathing panels (c 1-3; Fig 1).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have provided in Hites that the door is made by mounting the core in an outer peripheral frame and applying outer sheathing panels because Lee teaches this method to be conventional in the art of making doors and it is obvious to

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replace one method of making a door from a door core (that of Hites not specifically disclosed) with another art recognized alternative method of making a door from a door core (that of Lee).

8. Claim 27 is rejected under 35 USC 103(a) as being unpatentable over Hites as applied to claims 17-18, 20, and 22 above, and further in view of Seidner (US 5,944,928).

Claim 27, Hites does not teach how grooves 12/14 are formed, i.e., rip sawing.

Seidner teaches forming grooves 206 in a panel by rip sawing (c 15).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have provided in Hites that grooves 12/14 are formed by rip sawing as suggested by Seidner the motivation being that one can form a plurality of grooves at one time instead of one by one.

9. Claim 30 is rejected under 35 USC 103(a) as being unpatentable over Hites as applied to claims 17-18, 20, and 22 above, and further in view of Gerek et al. (US 3,531,353).

Claim 30, Hites does not teach that panels 10 are particle board instead of hard wood.

Gerek et al. teach a core for a door which is coatable and where the core material can be hard wood or particle board (c 1; c 5, L 50, to c 6, L 38).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have provided in Hites that panels 10 be particle board instead

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of hard wood because Gerek et al. teach in the are of door cores that the two materials are interchangeable.

Conclusion

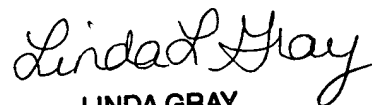
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linda Gray whose telephone number is (571) 272-1228. The examiner can normally be reached Monday-Friday from 9:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Fiorilla, can be reached at (571) 272-1187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public Pair. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-1997 (toll-free).

llg

October 30, 2006


LINDA GRAY
PRIMARY EXAMINER